

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR REGULAR CITY COUNCIL MEETING

October 9, 2007
Council Chambers, City Hall
9:00 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

9:00 a.m.: Roll call and Executive Session*
9:00 a.m.: Invocation and Pledge of Allegiance
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

Invocation – Police Chaplain Carlos Flores
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. BOWIE ALUMNI HOMECOMING WEEK IN EL PASO**
- 2. MENTAL ILLNESS AWARENESS WEEK**
- 3. EL PASO INDEPENDENT SCHOOL DISTRICT ATTENDANCE AND DISCIPLINE MONTH**

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA**1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of October 2, 2007, and the Special City Council Meeting Minutes of September 28, 2007 (MPO), and October 2, 2007 (Department of the Army Right of Entry).

[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Mayor John F. Cook

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a First Amendment to the Air Cargo Center Agreement by and between the City of El Paso ("Lessor") and BT Property, LLC ("Lessee") to decrease the leased premises of the existing Air Cargo Center Agreement by 102,084 square feet of ramp area; and that the annual rent be adjusted accordingly. **(District 3)**

[Airport, Patrick Abeln, (915) 780-4724]

3B. That the City Manager be authorized to sign a First Amendment to the Air Cargo Center Agreement by and between the City of El Paso ("Lessor") and United Parcel Service, Inc. ("Lessee") to increase the amount of leased premises of the existing Air Cargo Center Agreement by an additional 47,940 square feet of ramp area; and that the annual rent be adjusted accordingly. **(District 3)**

[Airport, Patrick Abeln, (915) 780-4724]

3C. That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Maria Elena Salgado for the purchase of

Parcel 19 – 653 square feet, more or less, of Tract 8-D, Johannsen Survey No. 185, Abstract 2789, City of El Paso, El Paso County, Texas,

to be acquired for a project known as the Montoya Heights Drainage Improvements, Phase II, Channel Right of Way, and that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution.

Project #: PBE04ST118; Fund: 29133; Department: 14200403; Account: 508000. **(District 1)**

[Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

- 3D.** That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Cynthia Lou Zarges, Kristy Kay Zarges, and Julie Ray Zarges for the purchase of

Parcel 11 – 1,438 square feet, more or less, of Tract 8-C, Johannsen Survey No. 185, Abstract 2789, City of El Paso, El Paso County, Texas, and

Parcel 12 - 2,774 square feet, more or less, of Tract 8-F, Johannsen Survey No. 185, Abstract 2789, City of El Paso, El Paso County, Texas,

to be acquired for a project known as the Montoya Heights Drainage Improvements, Phase II, Channel Right of Way, and that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution.

Project #: PBE04ST118; Fund: 29133; Department: 14200403; Account: 508000. **(District 1)**

[Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

- 3E.** That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Elena Dominguez for the purchase of

Parcel 13 - 2,995 square feet, more or less, out of Tract 8-E, Johannsen Survey No. 185, Abstract 2789, City of El Paso, El Paso County, Texas,

to be acquired for a project known as the Montoya Heights Drainage Improvements, Phase II, Channel Right of Way, and that the City Manager, or her designee, be authorized to sign any necessary documents to accomplish the intent of this Resolution.

Project #: PBE04ST118; Fund: 29133; Department: 14200403; Account: 508000. **(District 1)**

[Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

4. BOARD APPOINTMENT:

Elijah Graham to the City Plan Commission, to fill an unexpired term, by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]

5. BID:

The award of Solicitation No. 2007-234 (Sixth Avenue Street and Drainage Improvements Phase II) to Allen Concrete, Inc., for an estimated total amount of \$376,784.65.

Department:	Street
Award to:	Allen Concrete, Inc.
	El Paso, Texas
Base Bid I:	\$320,458.65
Base Bid II:	\$ 29,376.00
Base Bid III:	\$ 3,100.00
Alternate I:	\$ 23,850.00

Total Estimated Award: \$376,784.65
 Account No. G7132CD0029 – 71150069 - 10075-508027
 Funding Source: Community Development Block Grant
District: 8

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Engineering, and Street recommend award as indicated to the lowest responsive, responsible bidder.

[Engineering, R. Alan Shubert, (915) 541-4423]

REGULAR AGENDA - INTRODUCTIONS

6. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the introduction of ordinances.

Public comments are invited at the date of the scheduled public hearing.

- 6A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.041 (Schedule IV(A) - Parking Prohibited during Certain Hours, School Days Only), Paragraph A (No Parking 7:00 a.m. to 4:00 p.m.), of the El Paso City Code by adding Tierra Rey Court; and Tierra Nevada, between Edgemere and Tierra Espada, both sides. The penalty being as provided in Section 12.85.110 (Violation - Penalty) of the El Paso City Code. **(District 5)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 6B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of the El Paso City Code, to add Zone Q: No Parking 7:00 a.m. to 4:00 p.m., School Days Only, on Sterling Mary Way. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 6)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

PUBLIC HEARING WILL BE HELD ON OCTOBER 16, 2007, FOR ITEMS 6A – 6B

- 6C.** An Ordinance amending Ordinance 016653 which amended Title 20 (Zoning) of the El Paso City Code and Ordinance 16746, which amended the effective date of Ordinance 016653, to amend Chapter 20.02, (Definitions), to revise the definitions for "Sign, Pole", and "Yard", to delete the definition for "Community

Building”; by amending Section 20.08.030.C (Appendix A), Table of Permissible Uses, by amending 18.10 “Motor Carrier Terminal” and to designate that a detailed site plan is required in the Planned Industrial (P-I) District; by amending 18.16 (Transportation Terminal Type A) to require a detailed site plan in the Planned Industrial (P-I) District; amending Section 20.10.400, (Neighborhood Conservancy Overlay) to replace “City Architect” with “Historic Preservation Officer”; amending Section 20.10.260 (Governmental Uses and Buildings) to require screening for certain heavy governmental uses adjacent to residential districts; amending Section 20.12.020 (Table of Density and Dimensional Standards), (Appendix B) to amend the density in the S-D (Special Development District); amending Chapter 20.14 (Parking, Loading and Storage Regulations) by deleting Section 20.14.050.C (Appendix C), Parking Table and replacing it with the attached Exhibit B: by amending Chapter 20.18, Sign Regulations in its entirety. The penalty as provided in Chapter 20.24 of the El Paso City Code. **(All Districts)** [Development Services/Planning, Kimberly Forsyth, (915) 541-4631]

PUBLIC HEARING WILL BE HELD ON OCTOBER 30, 2007, FOR ITEMS 6C

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS

7. PUBLIC HEARINGS – DEVELOPMENT SERVICES

- 7A.** An Ordinance changing the zoning of the following real property described as: Parcel 1: a portion of Section 15, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-2 (Commercial); Parcel 2: a portion of Section 10, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-2 (Commercial); Parcel 3: a portion of Sections 10, 11, and 15, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to P-R1 (Planned Residential District 1)); Parcel 4: a portion of Section 11, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to A-2 (Apartment); Parcel 5: a portion of Sections 2 and 11, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-2 (Commercial) ; Parcel 6: a portion of Section 10, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-2 (Commercial); and, Parcel 7: a portion of Section 10, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to A-2 (Apartment) and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: south of Stan Robert Sr. Avenue and west of Dyer Street. Applicants: Ranchos Real IV, LTD and Direct Home Sales, Inc. ZON07-00003 **(District 4)** [Development Services/Planning, Melissa Granado, (915) 541-4730]

- 7B.** An Ordinance vacating a five-foot public utility easement located within a portion of Lots 8, 9, and 11, Block 1, El Paso West Unit Two, Replat A, City of El Paso, El Paso County, Texas. Subject property location: south of Artcraft Road and east of Interstate Highway 10. **(District 1)**
[Development Services/Planning, Christina Stokes, (915) 541-4627]

8. PUBLIC HEARING – FINANCIAL SERVICES:

An Ordinance repealing Ordinance Numbers 8611, 9969, 10991, 11655, 12159, 12958, and 13647 which established procedures for traveling for the City of El Paso. **(All Districts)** [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

REGULAR AGENDA – OTHER BUSINESS

9. MAYOR AND COUNCIL:

Discussion and action on directing the City Manager to evaluate converting Yandell Drive into a two-way street and report recommendations to the City Council by Representative O'Rourke, District 8.
[Representative Beto O'Rourke, (915) 541-4123]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>